

**HOUSE JOURNAL**  
of the  
**NINETY-SIXTH GENERAL ASSEMBLY**  
of the  
**STATE OF TENNESSEE**  
**SECOND REGULAR SESSION**  
**TUESDAY, JANUARY 9, 1990**  
**FIFTY-SECOND LEGISLATIVE DAY**

Pursuant to House Joint Resolution No. 464, the House of Representatives of the Ninety-sixth General Assembly met in Second Regular Session at 12 o'clock noon and was called to order by Mr. Speaker Murray.

The proceedings were opened with prayer by Reverend Peter Whalen, St. Philip's Episcopal Church, Donelson, Tennessee.

Representative Ben West, Jr., led the House in the Pledge of Allegiance to the Flag.

**ANNOUNCEMENTS**

The Speaker made announcements regarding the vacancies, elections, and swearing in ceremonies that had transpired since adjournment of the First Regular Session of the Ninety-sixth General Assembly and asked that the pertinent documents be spread in the Journal.

**REPRESENTATIVE DISTRICT 71**

**CERTIFICATION OF GENERAL ELECTION RETURNS**  
**HELD MAY 30, 1989**  
**STATE REPRESENTATIVE DISTRICT 71**

We, the undersigned, Ned Ray McWherter, Governor of the State of Tennessee, Charles W. Burson, Attorney General, State of Tennessee, and Gentry Crowell, Secretary of State, State of Tennessee, having received and compared the returns of the general election for State Representative, 71st District, held on May 30, 1989 for the State of Tennessee and having ascertained the person receiving the highest number of votes in the election, do hereby certify that the attached compilation is a true and correct copy of the election returns and the name of the duly elected candidate.

Witness, our hands and the Great Seal of the State of Tennessee

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which is directed by the Governor, to be affixed hereto by the Secretary of State, this 13th day of July, in the year of our Lord, Nineteen Hundred Eighty Nine.

/s/Ned McWherter, Governor  
/s/Charles Burson, Attorney General  
/s/Gentry Crowell, Secretary of State

Vote count: W. J. "Jack" Reynolds, 4,323; Robbie S. Wolfe, 4,784.

September 16, 1989

Mr. Bryant Millsaps, Chief Clerk  
House of Representatives  
2nd Floor, State Capitol  
Nashville, Tennessee 37219

Dear Mr. Clerk:

Please find attached the oath of office which was administered by me today to Robbie S. Wolfe. Representative Wolfe was duly elected to this office as Representative from the 71st Legislative District on May 30, 1989.

Let the journal reflect that the oath was duly administered to her on this date.

Sincerely,  
/s/Ed Murray, Speaker

REPRESENTATIVE DISTRICT 4

September 20, 1989

The Honorable Governor Ned McWherter  
Tennessee State Capitol Bldg.  
Nashville, Tennessee 37219

Dear Ned:

It has been a genuine pleasure serving my constituents for the past five years as the 4th District State Representative. Not only have I enjoyed representing the people of my district to the best of my ability, but I have enjoyed the professional association of my fellow legislators. It has been a privilege indeed to serve under your leadership, Ned.

As you know, I have recently had the honor of being asked to serve as the Southeastern Director-at-Large for the Farmers Home Administration, a post which I have accepted. Unfortunately, acceptance of this regional position requires that I resign my 4th District seat in the State House of Representatives. This letter is

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to officially notify you of my resignation which is effective Saturday, Sept. 23, 1989.

It is with some regret that I must leave my colleagues in the Legislature, but I look forward to serving not only the citizens of Tennessee in my new post, but also those of other southeastern states.

If I can ever be of assistance in the future, please don't hesitate to call.

Sincerely yours,  
/s/Barton A. Hawkins

November 1, 1989

Honorable Ed Murray  
Speaker of the House of Representatives  
19 Legislative Plaza  
Nashville, TN 37219

Dear Mr. Murray:

I am enclosing a certified copy of the Minutes of the Johnson County Board of Commissioners adopted October 30, 1989, at which time Bruce Triplett was elected interim successor for House District No. 4 of the General Assembly which was vacated by the resignation of Barton A. Hawkins.

Yours truly,  
/s/Bertie Morefield  
County Clerk

November 13, 1989

Mr. Bryant Millsaps, Chief Clerk  
House of Representatives  
2nd Floor, State Capitol  
Nashville, Tennessee 37219

Dear Mr. Clerk:

Please find attached the oath of office which was administered by me today to Bruce B. Triplett. On October 30, 1989, Representative Triplett was duly appointed by the Johnson County Commission to fill the vacancy in the 4th Legislative District until the special election to be held on January 9, 1990.

Let the journal reflect that the oath was duly administered to him on this date.

Sincerely,  
/s/Ed Murray, Speaker

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REPRESENTATIVE DISTRICT 13

A vacancy was created in the 13th district on July 17, 1989, with the death of Representative Ted Ray Miller.

CERTIFICATION OF GENERAL ELECTION RETURNS  
HELD NOVEMBER 7, 1989  
FOR STATE REPRESENTATIVE DISTRICT 13

We, the undersigned, Ned Ray McWherter, Governor of the State of Tennessee, Charles W. Burson, Attorney General, State of Tennessee, and Gentry Crowell, Secretary of State, State of Tennessee, having received and compared the returns of the general election for State Representative, 13th District, held on November 7, 1989 for the State of Tennessee and having ascertained the person receiving the highest number of votes in the election, do hereby certify that the attached compilation is a true and correct copy of the election returns and the name of the duly elected candidate.

Witness, our hands and the Great Seal of the State of Tennessee which is directed by the Governor to be affixed hereto by the Secretary of State this 7th day of December, in the year of our Lord, Nineteen Hundred Eighty Nine.

/s/Ned McWherter, Governor  
/s/Charles Burson, Attorney General  
/s/Gentry Crowell, Secretary of State

Vote count: Carole Miller, 1,880; Joe Burchfield, 2,082.

December 17, 1989

Mr. Bryant Millsaps, Chief Clerk  
House of Representatives  
2nd Floor, State Capitol  
Nashville, Tennessee 37219

Dear Mr. Clerk:

Please find attached the oath of office which was administered by me today to Joe Burchfield. Representative Burchfield was duly elected to this office as Representative from the 13th Legislative District on November 7, 1989.

Let the journal reflect that the oath was duly administered to him on this date.

Sincerely yours,  
/s/Ray L. Jenkins  
Criminal Court Judge  
Division II, Knoxville

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REPRESENTATIVE DISTRICT 53

August 16, 1989

Honorable Ed Murray  
Speaker, House of Representatives  
#19 Legislative Plaza  
Nashville, TN 37219

Dear Mr. Speaker:

This is to give you official notification that I will resign my seat as Representative of the 53rd district in the Tennessee House of Representatives on November 15, 1989.

My decision to resign early is because I am moving out of the 53rd district due to commercial construction near my current home and I believe that a representative should live in the district that he represents.

My service in the Tennessee House of Representatives has extended through 19 years, years of great progress in our state as well as in Nashville. I have seen state government grow, modernize, and face with determination the complex problems of our society.

I view my association with members of the General Assembly with pleasure. It has been a great experience, and I regret it is time to go. But I leave with a sense of satisfaction and with confidence in the judgement [sic] of the people of Tennessee whose government it is, and who provide its leadership.

My service as a representative has reinforced my pride in Tennessee and its citizens as well as my confidence that we have a most exciting future as a people in the forefront of change.

I bid you and the members of the General Assembly godspeed.

Sincerely,  
/s/Victor Ellis

December 6, 1989

The Honorable Gentry Crowell  
Secretary of State  
State of Tennessee  
Nashville, TN 37219

Dear Secretary Crowell:

The Metropolitan Council of Nashville and Davidson County, at its meeting of December 5, 1989, held an election to fill the vacancy in the Tennessee General Assembly in the 53rd Legislative District created by the recent resignation of Mr. Victor Ellis.

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Councilman Jerry L. Austin was elected to serve in this capacity, and a certified excerpt of the Minutes from the meeting are enclosed for your records.

Mr. Austin can be contacted as follows:

Mr. Jerry Austin, 3616 Floral Drive, Nashville, TN 37211  
Home Phone (615) 333-3087

If I can be of further assistance, please contact me at 259-6126.

Very truly yours,  
/s/Marilyn S. Swing  
Metropolitan Clerk

December 6, 1989

Mr. Bryant Millsaps, Chief Clerk  
House of Representatives  
Second Floor, State Capitol  
Nashville, TN 37219

Dear Mr. Clerk:

Please find attached the Oath of Office which was administered by me today to Jerry Austin. Representative Austin was duly appointed to this office as Representative from the 53rd District on December 5, 1989.

Let the Journal reflect that the Oath was duly administered to him on this date.

Sincerely,  
/s/H. Philip Sadler  
Judge, Metro/Davidson County

ROLL CALL

The roll call was taken with the following results:

Present . . . . . 95

Representatives present and not voting were: Anderson, Armstrong, Austin, Bell, Bittle, Bivens, Bragg, Buck, Burchfield, Burnett, Byrd, Cain, Callicott, Chiles, Clark, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), DeBerry, DePriest, Dixon, Duer, Gaia, Garrett, Givens, Good, Gunnels, Halteman, Harrill, Hassell, Haun, Head, Henry (Putnam), Henry (Roane), Herron, Hillis, Hobbs, Holcomb, Holt, Hubbard, Huskey, Jackson, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Love, McAfee, McDaniel, Moody, Moore (Shelby), Naifeh, Napier, Nicoley, Nuber, Odom, Perotias, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson),

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Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sipes, Stallings, Stamps, Starnes, Triplett, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Mr. Speaker Murray -- 95.

A motion to reconsider was tabled.

**EXCUSED**

The Speaker announced that the following member(s) has/have been excused, pursuant to request(s) under Rule No. 20:

The Speaker announced that Representative Coffey was excused due to an overseas trip.

The Speaker announced that Representative Moore (Shelby) was excused to attend a funeral.

The Speaker announced that Representative Yelton was excused due to illness.

**RULES SUSPENDED**

Rep. Naifeh moved that the rules be suspended for the purpose of introducing House Joint Resolution No. 517 out of order, which motion prevailed.

**\*House Joint Resolution No. 0517 -- General Assembly, Adjournment, Recess -- Provides for recess in proceedings of General Assembly. by \*Naifeh, \*Chiles, \*Byrd.**

On motion, the rules were suspended for the immediate consideration of the resolution.

On motion of Rep. Naifeh, the resolution was adopted by the following vote:

Ayes. . . . .	95
Noes. . . . .	0

Representatives voting aye were: Anderson, Armstrong, Austin, Bell, Bittle, Bivens, Bragg, Buck, Burchfield, Burnett, Byrd, Cain, Callicott, Chiles, Clark, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), DeBerry, DePriest, Dixon, Duer, Gaia, Garrett, Givens, Good, Gunnels, Halteman, Harrill, Hassell, Haun, Head, Henry (Putnam), Henry (Roane), Herron, Hillis, Hobbs, Holcomb, Holt, Hubbard, Huskey, Jackson, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Love, McAfee, McDaniel, Moody, Moore (Shelby), Naifeh, Napier, Niceley, Nuber, Odom, Peroulas, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sipes, Stallings, Stamps,

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Starnes, Triplett, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Mr. Speaker Murray -- 95.

A motion to reconsider was tabled.

### RULES SUSPENDED

Rep. Naifeh moved that the rules be suspended for the purpose of introducing House Joint Resolution No. 518 out of order, which motion prevailed.

\*House Joint Resolution No. 0518 -- General Assembly, Joint Conventions -- Calls joint convention for state of the state address. by \*Naifeh, \*Chiles, \*Byrd.

On motion, the rules were suspended for the immediate consideration of the resolution.

On motion of Rep. Naifeh, the resolution was adopted by the following vote:

Ayes. . . . .	96
Noes. . . . .	0

Representatives voting aye were: Anderson, Armstrong, Austin, Bell, Bittle, Bivens, Bragg, Buck, Burchfield, Burnett, Byrd, Cain, Callicott, Chiles, Clark, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Duer, Gafa, Garrett, Givens, Good, Gunnels, Halteman, Harrill, Hassell, Haun, Head, Henry (Putnam), Henry (Roane), Herron, Hillis, Hobbs, Holcomb, Holt, Hubbard, Huskey, Jackson, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Love, McAfee, McDaniel, Moody, Moore (Shelby), Naifeh, Napier, Niceley, Nuber, Odom, Peroulas, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sipes, Stallings, Stamps, Starnes, Triplett, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Mr. Speaker Murray -- 96.

A motion to reconsider was tabled.

### RULES SUSPENDED

Rep. Naifeh moved that the rules be suspended for the purpose of introducing House Joint Resolution No. 519 out of order, which motion prevailed.

\*House Joint Resolution No. 0519 -- General Assembly, Joint Conventions -- Calls joint convention to hear address on the budget. by \*Naifeh, \*Chiles, \*Byrd.



On motion, the rules were suspended for the immediate consideration of the resolution.

On motion of Rep. Naifeh, the resolution was adopted by the following vote:

Ayes . . . . .	96
Noes . . . . .	0

Representatives voting aye were: Anderson, Armstrong, Austin, Bell, Bittle, Bivens, Bragg, Buck, Burchfield, Burnett, Byrd, Cain, Callicott, Chiles, Clark, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Duer, Gaia, Garrett, Givens, Good, Gunnels, Halteman, Harrill, Hassell, Haun, Head, Henry (Putnam), Henry (Roane), Herron, Hillis, Hobbs, Holcomb, Molt, Hubbard, Huskey, Jackson, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Love, McAfee, McDaniel, Moody, Moore (Shelby), Naifeh, Napier, Niceley, Nuber, Odom, Peroulas, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sipes, Stallings, Stamps, Starnes, Triplett, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Mr. Speaker Murray -- 96.

A motion to reconsider was tabled.

# **RULES SUSPENDED**

Rep. Naifeh moved that the rules be suspended for the purpose of introducing House Joint Resolution No. 520 out of order, which motion prevailed.

**\*House Joint Resolution No. 0520 -- General Assembly, Joint Conventions -- Calls joint convention to elect secretary of state. by \*Naifeh, \*Chiles.**

On motion, the rules were suspended for the immediate consideration of the resolution.

Rep. Rhinehart moved the previous question, which motion prevailed.

On motion of Rep. Naifeh, the resolution was adopted by the following vote:

Ayes . . . . .	85
Noes . . . . .	10

Representatives voting aye were: Anderson, Armstrong, Austin, Bell, Bittle, Bragg, Buck, Burchfield, Byrd, Cain, Callicott, Chiles, Clark, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest,

Dixon, Duer, Gaia, Garrett, Givens, Good, Halteman, Harrill, Hassell, Haun, Head, Henry (Roane), Herron, Hillis, Hobbs, Holt, Hubbard, Huskey, Jackson, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Love, McAfee, McDaniel, Moore (Shelby), Naifeh, Napier, Niceley, Nuber, Odom, Peroulas, Phillips, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sipes, Stallings, Triplett, Turner (Hamilton), Turner, C. (Shelby), Ussery, Webb, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Mr. Speaker Murray -- 85.

Representatives voting no were: Bivens, Burnett, Gunnels, Holcomb, Moody, Pinion, Stamps, Starnes, Turner, L. (Shelby), West -- 10.

A motion to reconsider was tabled.

### REGULAR CALENDAR

\*House Bill No. 0930 -- Election Laws -- Requires placement in certain offices of state government dispensers containing voter registration by mail forms. Amends TCA, Title 2, Ch. 2.

Further consideration of House Bill No. 930, previously considered on May 1, 1989, at which time the bill was reset to first Calendar for 1990.

Rep. Naifeh moved that House Bill No. 930 be reset to the Calendar for Wednesday, January 31, 1990, which motion prevailed.

### RULES SUSPENDED

Rep. Crain moved that the rules be suspended for the purpose of introducing House Resolution No. 90 out of order, which motion prevailed.

House Resolution No. 0090 -- General Assembly, Confirmation of Appointment -- Confirms appointment of Herman Raviere as member of Registry of Election Finance. by \*Crain, \*Naifeh, \*Byrd, \*Kisber.

On motion, the rules were suspended for the immediate consideration of the resolution.

On motion of Rep. Crain, the resolution was adopted by the following vote:

Ayes	93
Noes	0

Representatives voting aye were: Anderson, Armstrong, Austin, Bell, Bittle, Bivens, Bragg, Buck, Burchfield, Burnett, Byrd, Cain, Calligott, Chiles, Collier, Copeland, Crain, Gross, Curlee, Davidson, Davis (Coker), Davis (Gibson), Davis (Knox), DeBerry,

DePriest, Dixon, Duer, Gaia, Garrett, Givens, Good, Gunnels, Halteman, Harrill, Hassell, Haun, Head, Henry (Putnam), Henry (Roane), Herron, Hillis, Hobbs, Holcomb, Holt, Hubbard, Huskey, Jackson, Jones, R. (Shelby), Jones, U. (Shelby), Kernell, King, Kisber, Love, McAfee, McDaniel, Moody, Moore (Shelby), Naifeh, Napier, Niceley, Nuber, Odom, Peroulas, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sipes, Stallings, Stamps, Starnes, Triplett, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Mr. Speaker Murray -- 93.

A motion to reconsider was tabled.

## UNFINISHED BUSINESS

### RULES SUSPENDED

Rep. Phillips moved to suspend Rule No. 50 (72-hour rule) for the remainder of the year, so that all congratulatory and memorializing resolutions be automatically placed on the consent calendar on a daily basis, which motion prevailed.

### RULES SUSPENDED

Rep. Chiles moved that the rules be suspended for the purpose of introducing House Resolution No. 91 out of order, which motion prevailed.

**House Resolution No. 0091 -- General Assembly, Confirmation of Appointment --** Confirms appointment of John Parish to Registry of Election Finance, by \*Chiles, \*Scruggs, \*Bittle, \*Duer, \*McAfee, \*Wood, \*Nuber, \*J. Henry, \*Peroulas, \*Webb, Anderson, R. E. Davis, Huskey, Severance, Haun, Triplett.

On motion, the rules were suspended for the immediate consideration of the resolution.

On motion of Rep. Chiles, the resolution was adopted by the following vote:

Ayes. . . . .	95
Noes. . . . .	0

Representatives voting aye were: Anderson, Armstrong, Austin, Bell, Bittle, Bivens, Bragg, Buck, Burchfield, Burnett, Byrd, Cain, Callicott, Chiles, Clark, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Duer, Gaia, Garrett, Givens, Good, Gunnels, Halteman, Harrill, Hassell, Haun, Head, Henry (Putnam), Henry (Roane), Herron, Hillis, Hobbs, Holcomb, Holt, Hubbard, Huskey, Jackson, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell,

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King, Kisber, Love, McAfee, McDaniel, Moody, Moore (Shelby), Naifeh, Napier, Niceley, Nuber, Odom, Peroulas, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sipes, Stallings, Stamps, Starnes, Triplett, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Mr. Speaker Murray -- 95.

A motion to reconsider was tabled.

**RULES SUSPENDED**

Rep. Naifeh moved to suspend Rule No. 81(1), relative to the time for placing bills on notice in Committee, so that notice for bills to be heard the week of January 22, 1990, must be filed by 3:00 p.m. on Thursday, January 11, 1990, which motion prevailed.

**ANNOUNCEMENT OF COMMITTEE APPOINTMENTS**

Mr. Speaker Murray announced that Rep. Love had been appointed as Chairman of the State and Local Government Committee.

Mr. Speaker Murray announced that Rep. Wheeler had appointed as Vice-Chairman of the State and Local Government Committee.

Mr. Speaker Murray announced that Rep. Chris Turner (Shelby) had appointed as Chairman of the Labor and Consumer Affairs Committee.

Mr. Speaker Murray announced that Rep. Ray Davis (Gibson) had been appointed as Vice-Chairman of the Judiciary Committee.

Mr. Speaker Murray announced that Rep. Triplett had been appointed to serve on the Agriculture and Transportation Committees.

Mr. Speaker Murray announced that Rep. Burchfield had been appointed to serve on the Conservation and Environment; Education Committees.

Mr. Speaker Murray announced that Rep. Austin had been appointed to serve on the Labor and Consumer Affairs; State and Local Government Committees.

Mr. Speaker Murray announced that the following additional appointments had been made to fill vacancies:

Rep. Kisber, Rules Committee; Rep. Starnes, TACIR.

**ANNOUNCEMENTS**

Pursuant to House Rule No. 75, the Chief Clerk announced that the Select Committee on Rules has met and their report has been

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spread on the member's desks. The Committee will make recommendations on Wednesday.

The Tennessee Consolidated Retirement System Component Unit Annual Financial Report for the Year Ended June 30, 1989, has been filed with the Clerk's office.

The Annual Statistical Report of The Department of Education for The Scholastic Year Ended June 30, 1988, has been filed with the Clerk's Office.

Pursuant to House Joint Resolution No. 125, the Department of Human Services has filed its report with the Clerk's office.

The Treasurer's Report for the Fiscal Year Ended June 30, 1989, has been filed with the Clerk's Office.

#### RULES SUSPENDED

Rep. Bittle moved that the rules be suspended for the purpose of introducing House Joint Resolution No. 521 out of order, which motion prevailed.

House Joint Resolution No. 0521 -- Memorials, Congratulations -- Congratulates citizens and mayor of Farragut on tenth anniversary. by \*Bittle.

On motion, the rules were suspended for the immediate consideration of the resolution.

On motion of Rep. Bittle, the resolution was adopted by the following vote:

Ayes . . . . .	94
Noes . . . . .	0

Representatives voting aye were: Anderson, Armstrong, Austin, Bell, Bittle, Bivens, Bragg, Buck, Burchfield, Burnett, Byrd, Cain, Callicott, Chiles, Clark, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DePriest, Dixon, Duer, Gaia, Garrett, Givens, Good, Gunnels, Halteman, Harrill, Hassell, Haun, Head, Henry (Putnam), Henry (Roane), Herron, Hillis, Hobbs, Holcomb, Holt, Hubbard, Huskey, Jackson, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Love, McAfee, McDaniel, Moody, Moore (Shelby), Naifeh, Napier, Niceley, Nuber, Odom, Peroulas, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sipes, Stallings, Stamps, Starnes, Turner (Hamilton), Turner, C. (Shelby), Turner, E. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Mr. Speaker Murray -- 94.

A motion to reconsider was tabled.

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MESSAGE FROM THE SENATE

January 9, 1990

MR. SPEAKER: I am directed to transmit to the House, Senate Joint Resolution(s) No(s). 410, 415 and 416; adopted for concurrence.

CLYDE W. McCULLOUGH, JR.,  
Chief Clerk.

Senate Joint Resolution No. 0410 -- Memorials, Sports --  
Congratulates 1989 University of Tennessee football team on 1990  
Cotton Bowl victory.

Senate Joint Resolution No. 0415 -- Memorials, Condolence --  
Honors memory of Reverend Henry Ford Tucker.

Senate Joint Resolution No. 0416 -- Memorials, Retirement --  
Commends Dr. William T. Windham for his service to Middle Tennessee  
State University.

RULES SUSPENDED

Rep. Armstrong moved that the rules be suspended for the purpose  
of introducing Senate Joint Resolution No. 410 out of order, which  
motion prevailed.

Senate Joint Resolution No. 0410 -- Memorials, Sports --  
Congratulates 1989 University of Tennessee football team on 1990  
Cotton Bowl victory.

On motion, the rules were suspended for the immediate  
consideration of the resolution.

On motion of Rep. Armstrong, the resolution was concurred in by  
the following vote:

Ayes. . . . .	96
Noes. . . . .	0

Representatives voting aye were: Anderson, Armstrong, Austin,  
Bell, Bittle, Bivens, Bragg, Buck, Burchfield, Burnett, Byrd, Cain,  
Callicott, Chiles, Clark, Collier, Copeland, Crain, Cross, Curlee,  
Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry,  
DePriest, Dixon, Duer, Gaia, Garrett, Givens, Good, Gunnels,  
Haiteman, Harrill, Hassell, Haun, Head, Henry (Putnam), Henry  
(Roane), Herron, Hillis, Hobbs, Holcomb, Holt, Hubbard, Huskey,  
Jackson, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell,  
King, Kisber, Love, McAfee, McDaniel, Moody, Moore (Shelby), Naifeh,  
Napier, Nicaley, Nuber, Odom, Peroulas, Phillips, Pinion, Pruitt,  
Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson  
(Hamilton), Robinson (Washington), Scruggs, Severance, Shirley,  
Sipes, Stallings, Stamps, Starnes, Triplett, Turner (Hamilton),  
Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West,

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Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Mr. Speaker Murray -- 96.

A motion to reconsider was tabled.

### **CORRECTIONS TO THE JOURNAL**

On March 1, 1989, House Bill No. 197, as amended, was recommended for passage and referred to the Finance, Ways and Means Committee by the State and Local Government Committee. This bill did not appear on this committee report as it should have. (p. 502).

### **CORRECTIONS TO THE JOURNAL**

On May 25, 1989, House Bill No. 1396 was incorrectly spread in the Journal as being signed by the Speaker; the correct bill number should have been House Bill No. 1369. (p. 2298).

### **INTRODUCTION OF RESOLUTIONS**

**\*House Joint Resolution No. 0505 -- Constitutional Amendments --** Ratifies proposed constitutional amendment on flag desecration. by \*Bell, \*Jackson, \*DePriest, \*Murray, \*Davidson, \*Jones R, \*Naifeh, \*West, \*Kisber, \*DeBerry, \*Wix, \*Peroulas, \*Ellis, \*Clark, \*Rhinehart, \*Whitson, \*Copeland, \*Cross, \*Harrill, \*Crain, \*Yelten, \*Love, \*Collier, \*Givens, \*Hillis, \*Winningham, \*Curlee, \*Byrd, \*Niceley.

The Speaker referred House Joint Resolution No. 505 to the Judiciary Committee.

**\*House Joint Resolution No. 0506 -- Constitutional Amendments --** Ratifies proposed constitutional amendment on flag desecration. by \*Stamps.

The Speaker referred House Joint Resolution No. 506 to the Judiciary Committee.

**\*House Joint Resolution No. 0507 -- Constitutional Amendments --** Ratifies proposed constitutional amendment on flag desecration. by \*Sipes.

The Speaker referred House Joint Resolution No. 507 to the Judiciary Committee.

**House Joint Resolution No. 0508 -- Memorials, Personal Achievement --** Congratulates Beau Whitaker, winner of grand champion market lamb at Junior Livestock Exposition. by \*Bragg.

The Speaker referred House Joint Resolution No. 508 to the Calendar and Rules Committee.

**TUESDAY, JANUARY 9, 1990 -- FIFTY-SECOND LEGISLATIVE DAY**

**House Joint Resolution No. 0509 -- Memorials, Retirement --**  
Honors William Hughes on exemplary career in law enforcement. by  
\*Jones R.

The Speaker referred House Joint Resolution No. 509 to the  
Calendar and Rules Committee.

**\*House Joint Resolution No. 0510 -- General Assembly, Statement**  
of Intent or Position -- Urges NCAA to review policies relative to  
compensation of student athletes at university level. by \*Jones R.

The Speaker referred House Joint Resolution No. 510 to the  
Education Committee.

**\*House Joint Resolution No. 0511 -- Highway Signs -- Designates**  
portion of U.S. Highway 72 as "W.C. Handy Memorial Highway". by  
\*Jones R.

The Speaker referred House Joint Resolution No. 511 to the  
Transportation Committee.

**House Joint Resolution No. 0512 -- Memorials, Personal Occasion**  
-- Honors Mrs. Effie Brassfield on one hundredth birthday. by  
\*Herron.

The Speaker referred House Joint Resolution No. 512 to the  
Calendar and Rules Committee.

**House Joint Resolution No. 0513 -- Memorials, Congratulations --**  
Honors Greenfield Junior High School Science Olympiad Team on  
runner-up honors in state competition. by \*Herron.

The Speaker referred House Joint Resolution No. 513 to the  
Calendar and Rules Committee.

### **INTRODUCTION OF BILLS**

**\*House Bill No. 1555 -- Criminal Offenses --** Revises penalty for  
assault and aggravated assault under certain circumstances. Amends  
TCA, Title 39. by \*Rhinehart, \*Davidson.

Passed first consideration.

**\*House Bill No. 1556 -- State Officials --** Provides for  
suspension from office of certain state officials for certain  
offenses. Amends TCA, Titles 8, 39. by \*Bragg, \*Naifeh, \*Murray,  
\*Kisber.

Passed first consideration.

**\*House Bill No. 1557 -- Driver Licenses --** Authorizes suspension  
or denial of driver license for high school dropouts. Amends TCA,  
Title 55, Ch. 50, Pt. 5. by \*Halteman, \*Stamps, \*Callicott.

Passed first consideration.



**TUESDAY, JANUARY 9, 1990 -- FIFTY-SECOND LEGISLATIVE DAY**

**\*House Bill No. 1558 -- Railroads --** Establishes requirement of climate control systems on all locomotives operating in this state. Amends TCA, Title 65. by \*Whitson.

Passed first consideration.

**\*House Bill No. 1559 -- Public Funds and Financing --** Requires commissioner of conservation to develop a list of projects eligible for funding under natural resources trust fund; requires commissioner to make budget requests concerning such fund. Amends TCA, Title 11, Ch. 14, Pt. 3. by \*Bivens, \*Huskey.

Passed first consideration.

**\*House Bill No. 1560 -- Animals --** Reclassifies animals; adds requirements for possession and sale of exotic animals. Amends TCA, Title 70, Ch. 4, Pt. 4. by \*Robinson Robb.

Passed first consideration.

**\*House Bill No. 1561 -- Driver Licenses --** Requires the denial or suspension of motor vehicle operator permit for not completing high school or dropping out of high school. Amends TCA, Title 55, Ch. 50, Pt. 5. by \*McAfee.

Passed first consideration.

**House Bill No. 1562 -- Statutes --** Codifies Public Acts of 1989. by \*Naifeh, \*Chiles, \*Buck.

Passed first consideration.

**\*House Bill No. 1563 -- DUI/DWI Offenses --** Lowers blood alcohol level for application of presumption of intoxication. Amends TCA, Title 55, Ch. 10, Pt. 4. by \*Herron.

Passed first consideration.

#### **HOUSE BILLS ON SECOND CONSIDERATION**

**House Bill No. 1553 -- Fayette County --** Passed second consideration and held on Clerk's desk pending approval by local delegation.

**\*House Bill No. 1554 -- Public Defenders --** Passed second consideration and referred to the Judiciary Committee.

#### **LOCAL BILLS TRANSMITTED TO CALENDAR AND RULES January 9, 1990**

In accordance with Rule No. 48, the following local bill(s), having received authorization for passage by the local legislative

**TUESDAY, JANUARY 9, 1990 -- FIFTY-SECOND LEGISLATIVE DAY**

delegation, was/were transmitted to the Calendar and Rules Committee: House Bill(a) No(s). 1553.

**REPORT OF COMMITTEE ON CALENDAR AND RULES**

**CONSENT CALENDAR**

**January 9, 1990**

**MR. SPEAKER:** The officers of your Calendar and Rules Committee beg leave to report that we have set the following bill(s) and/or resolution(s) on the Consent Calendar for Wednesday, January 10, 1990: House Joint Resolution(s) No(s). 508, 509, 512 and 513; House Bill No. 1553.

**PHILLIPS, Chairman.**

**ENGROSSED BILLS**

**January 9, 1990**

**MR. SPEAKER:** Your Chief Engrossing Clerk begs leave to report that we have carefully examined House Joint Resolution(s) No(s). 517, 518, 519 and 520; and find same correctly engrossed and ready for transmission to the Senate.

**BETTY KAY FRANCIS,**  
Chief Engrossing Clerk.

**ENGROSSED BILLS**

**January 9, 1990**

**MR. SPEAKER:** Your Chief Engrossing Clerk begs leave to report that we have carefully examined House Joint Resolution(s) No(s). 521; and find same correctly engrossed and ready for transmission to the Senate.

**BETTY KAY FRANCIS,**  
Chief Engrossing Clerk.

**MESSAGE FROM THE SENATE**

**January 9, 1990**

**MR. SPEAKER:** I am directed to transmit to the House, Senate Joint Resolution(s) No(s). 410; for the signature of the Speaker.

**CLYDE W. McCULLOUGH, JR.,**  
Chief Clerk.

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SIGNED  
January 9, 1990

The Speaker announced that he had signed the following: Senate Joint Resolution(s) No(s). 410.

ENROLLED BILLS  
January 9, 1990

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully compared House Resolution(s) No(s). 90 and 91; find same correctly enrolled and ready for the signature of the Speaker.

BETTY KAY FRANCIS,  
Chief Engrossing Clerk.

#### ROLL CALL

The roll call was taken with the following results:

Present . . . . . 96

Representatives present and not voting were: Anderson, Armstrong, Austin, Bell, Bittle, Bivens, Bragg, Buck, Burchfield, Burnett, Byrd, Cain, Callicott, Chiles, Clark, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Duer, Gaia, Garrett, Givens, Good, Gunnels, Halteman, Harrill, Hassell, Haun, Head, Henry (Putnam), Henry (Roane), Herron, Hillis, Hobbs, Holcomb, Holt, Hubbard, Huskey, Jackson, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Love, McAfee, McDaniel, Moody, Moore (Shelby), Naifeh, Napier, Niceley, Nuber, Odom, Peroulas, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sipes, Stallings, Stamps, Starnes, Triplett, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Mr. Speaker Murray -- 96.

On motion of Rep. Naifeh, the House adjourned until 1:00 p.m., Wednesday, January 10, 1990.